

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

MICHAEL T. COPELAND, )  
                            )  
Plaintiff,              )  
                            )  
vs.                      )     **Case No. 4:21-CV-1445 PLC**  
                            )  
                            )  
KILOLO KIJAKAZI,       )  
Acting Commissioner of Social Security,    )  
                            )  
Defendant.              )

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant Kilolo Kijakazi's motion to reverse the decision of the administrative law judge (ALJ) and remand this action to Defendant pursuant to sentence four of section 205(g), 42 U.S.C. § 405(g). [ECF No. 18] Plaintiff Michael Copeland filed a response stating he "has no objection to" Defendant's motion. [ECF No. 19]

On December 9, 2021, Plaintiff filed a complaint seeking review of Defendant's decision that Plaintiff was not under a disability within the meaning of the Social Security Act. [ECF No. 1] Defendant filed a transcript of the administrative proceeding, and Plaintiff filed a brief in support of the complaint, as well as a statement of material facts. [ECF Nos. 7, 16, 17]

By the instant motion, Defendant requests the Court reverse and remand the case for further action under 42 U.S.C. § 405(g), which permits the Court to "enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the case for a rehearing." 42 U.S.C. § 405(g). Defendant states: "After careful review of the above-captioned case, agency counsel

determined that remand was necessary for further evaluation of Plaintiff's claim." [ECF No. 18]

Defendant explains that, on remand:

the agency will evaluate the medical opinion evidence under the new medical evidence regulations; evaluate the residual functional capacity, including an evaluation of the ability to sit; and offer Plaintiff the opportunity for a hearing, take further action to complete the administrative record resolving the above issues, and issue a new decision.

[Id.] Defendant further states that "[r]emand would expedite administrative review, ensure that the Commissioner properly considers Plaintiff's claim, and could make judicial review unnecessary." [Id.]

Based on the record, the Court grants Defendant's unopposed motion to reverse the ALJ's decision and remand this matter to Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Accordingly,

**IT IS HEREBY ORDERED** that Defendant's unopposed motion to reverse and remand [ECF No. 18] is **GRANTED**.

A separate judgment in accordance with this Memorandum and Order is entered this same day.

  
\_\_\_\_\_  
PATRICIA L. COHEN  
UNITED STATES MAGISTRATE JUDGE

Dated this 12th day of July, 2022